

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	HARRY D. LEINENWEBER	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 776	DATE	2/28/2008
CASE TITLE	U.S. ex rel. Gerald Meachum v. United States of America		

## DOCKET ENTRY TEXT:

Petitioner Gerald Meachum is given 30 days from the date of this order to either pay the \$5 filing fee or file a petition for leave to file *in forma pauperis*. The clerk is directed to send to petitioner an *in forma pauperis* application. If petitioner does not comply with this order within 30 days, the court shall dismiss this action.

■ [For further details see text below.]

Docketing to mail notices.

## STATEMENT

Petitioner Gerald Meachum (#07687-424), currently in custody at McKean Federal Correctional Institution in Bradford, Pennsylvania, has filed a 28 U.S.C. § 2241 petition seeking to challenge his federal conviction under 28 U.S.C. § 2255's savings clause. Before the Court can determine if the current petition was properly filed in this federal district, *see Garza v. Lappin* 253 F.3d 918, 921 (7th Cir. 2001) (a petition for relief under § 2255's savings clause falls under § 2241, which must be filed in the federal district where the petitioner is in custody), the Court must address the issue of the filing fee.

Although the clerk accepted this *pro se* petition for a writ of habeas corpus for docketing pursuant to Fed. R. Civ. P. 5(e), petitioner has neither paid the \$5 filing fee nor filed a petition for leave to file *in forma pauperis*. If petitioner wishes to proceed with this action, he must either pay the \$5 filing fee or, in the alternative, file an *in forma pauperis* application complete with a certificate from a prison official stating the amount on deposit in the prisoner's trust account. If petitioner does not pay the filing fee or file a fully completed *in forma pauperis* application within 30 days, the court shall dismiss this action.

Courtroom Deputy  
Initials:

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